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In the United States Patent and Trademark Office

Appellants : Bryon P. Day et al. Docket No.: 18169.2
Serial No.: 10/581,731 Group: 1791
Confirmation No: 4939 Examiner: Tolin, Michael A
Filed: June 6, 2006 Date: April 2, 2009
For: Bidirectional Stretch Material and Laminate Made Therefrom
Applications Thereof, and Methods of Making Same

Notice of Appeal to the Board of Patent Appeals and Interferences

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. 41.31 the Appellants hereby respectfully appeal the **Final Rejection** of claims 1, and 3-13 mailed December 2, 2008.

This Notice of Appeal is timely in view of the accompanying Petition for One-Month Extension of Time that extends the period for response to April 2, 2009.

Please charge (1) the \$540.00 (code 1401) fee designated in 37 C.F.R. 41.20(b)(1) for filing this Notice of Appeal and (2) any other prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. Deposit account number 11-0875.

Respectfully submitted,

DAY ET AL.

By: Richard M. Shane

Richard M. Shane

Registration No.: 50,921

CERTIFICATE OF TRANSMISSION

I, Richard M. Shane, hereby certify that on April 2, 2009 this Notice of Appeal is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300.

Typed or printed name of person signing this certificate:

Richard M. Shane

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